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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/722,306	11/28/2000	Yasunobu Iwata	Q61090	5612

7590

03/03/2003

SUGHRUE, MION, ZINN, MACPEAK & SEAS  
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EXAMINER

ROSSOSHEK, YELENA

ART UNIT

PAPER NUMBER

2825

DATE MAILED: 03/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/722,306

Applicant(s)

IWATA ET AL.

Examiner

Helen B Rossoshek

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because Fig. 14 has minor informalities: the text in the boxes 11103, 11105, 11110, 11107, 11112 needs to be corrected.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 step of a circuit pattern extracting means the phrase "extracting a circuit pattern that contains a circuit element agreeing with a stored one" is not clear to which circuit pattern is "a stored one"; in a step of copying means the phrase "according to an operator's entry" is unclear to what applicant intend to mean.

Claim 2 the phrase "which is selected based on the operator's entry" is unclear to what applicant intends to mean.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Utan et al. (US Patent 5,586,335).

As to claim 1 Utan et al. teaches a ladder circuit editing system for inputting and editing a sequence program for a program controller in the form of a ladder diagram, the ladder circuit editing system having an unavailable area in which at least one circuit pattern (common ladder diagram portion) that has been input is stored as shown on the Fig. 15 (col. 3, ll.1-10) and available area in which a new circuit pattern is stored, and successively inputting circuit patterns from the available area as shown on the Fig. 9, the ladder circuit editing system comprising: a circuit pattern extracting means for comparing a circuit element contained in a circuit pattern being stored in the available area with a circuit element contained in a circuit pattern stored in the unavailable area, and extracting a circuit pattern that contains a circuit element agreeing with a stored one as shown on the Fig. 6 extracting the circuit pattern (being stored in the available area) by using device part extraction (14) and device code conversion (16) along with ladder symbol part extraction (13) and operator extraction (11) (col. 1, ll.33-40) for comparison with common ladder diagram portion (from unavailable are) by using device comparison tabulator (5a) and ladder diagram section fetch (common ladder diagram portion from unavailable area) as shown on the Fig. 9; a display means for displaying the circuit pattern extracted by the circuit pattern extracting means on an input screen as shown on the Fig. 6 wherein the extracted data of circuit pattern fro available area is displayed

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on the display device (25) after conversion in the screen display data conversion (19); a copying means for copying the circuit pattern extracted by the circuit pattern extracting means into the available area according to an operator's entry by ladder program writing device (3a) as depicted on the Fig. 9.

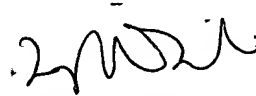
As to claims 2-4 Utan et al. teaches the display means successively displays a plurality of circuit patterns extracted by the circuit pattern extracting means, and the copying means copies any circuit pattern, which is selected based on the operator's entry from among the plurality of successively displayed circuit patterns, into the available area (col. 9, ll.35-46); the display means displays a previously selected circuit pattern as a top priority wherein displaying a plurality of devices in the sequence for controlling devices by programmable controller (col. 14, ll.28-40); further comprising a selected circuit pattern address storage area in which the address of a previously selected circuit pattern is stored, and a replacing means for placing the address of a selected circuit pattern at the head of the selected circuit pattern address storage area, wherein the display means displays as a top priority the previously selected circuit pattern according to the order of addresses stored in the selected circuit pattern address storage area by creating the screen image table (Fig. 5A, Fig. 5B) for storing the addresses as the lines and columns positions identified by cursor of the blocks wherein the screen image table is displayed on the display device (25) (Fig. 6) (col. 2, ll.47-67; col. 8, ll.54-56); col. 10, ll.1-5).

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helen B Rossoshek whose telephone number is 703-305-3827. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S Smith can be reached on 703-308-1323. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

  
LEIGH M. GARDOWSKI  
LEIGH M. GARDOWSKI

HR  
February 13, 2003